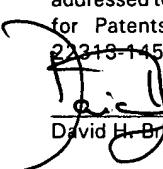




CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 12, 2004.

 
David H. Brinkman, Reg. No. 40,532 Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sotoyama et al.
Serial No.: 10/709,674
Filed: May 21, 2004
Group Art Unit: 1761
Confirmation No.: 3673
Examiner: Unknown
Title: **BIFIDOBACTERIUM LONGUM**
Our Ref.: SHG-030P2

Cincinnati, Ohio 45202

August 12, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the

above-identified patent application. A copy of the cited references are enclosed herewith.

No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider all of the cited documents and to make an independent evaluation of the teachings and materiality of each.

It is submitted that the cited references do not disclose or render obvious the subject matter claimed in the present application.

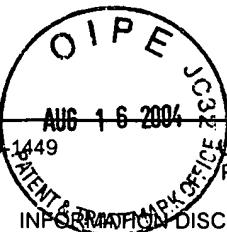
Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. SHG/030P2	SERIAL NO. 10/709,674
				APPLICANT Kazuyoshi Sotoyama et al.	
				FILING DATE May 21, 2004	GROUP 1761

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	5 7 1 1 9 7 7							01/1998	Yang et al.		426	61	10/1996
	A.B	6 3 0 6 6 3 8							10/2001	Yang et al.		435	252.1	12/1997
	A.C													
	A.D													
	A.E													
	A.F													
	A.G													
	A.H													
	A.I													
	A.J													
	A.K													

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L	JP 04-320642	11/1992	Japan	A23C	9/123	Abstract Only
	A.M	JP 09-322762	12/1997	Japan	C12N	1/20	Abstract Only
	A.N	JP 11-075830	03/1999	Japan	C12N	1/20	Abstract Only
	A.O	JP 357191	05/1999	Japan	C12N	1/20	No
	A.P	JP 52-83974	07/1977	Japan	A23C	9/00	Claims Only
	A.Q	JP 58-224685	12/1983	Japan	C12N	1/20	Abstract Only

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

A.R	ISA/JP, International Search Report, February 18, 2003 (7 pages)
A.S	Takatoshi Itoh, <u>Functional Benefits from Lactic Acid Bacteria used in Cultured Milk</u> , Nicchiku Kaihou, 1992, Vol. 63, No. 12, pp. 1276-1289
A.T	Rinsho Kensa, Briggs agar, Tomotari Mitsuoka, 1974, Vol. 18, No. 11, pp. 1163-1172

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. SHG/030P2	SERIAL NO. 10/709,674
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b))		APPLICANT Kazuyoshi Sotoyama et al.			
		FILING DATE May 21, 2004		GROUP 1761	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
B.A							
B.B							
B.C							
B.D							
B.E							
B.F							
B.G							
B.H							
B.I							
B.J							
B.K							

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

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B.L							
B.M							
B.N							
B.O							
B.P							
B.Q							

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

B.R	Chonaikin no sekai, <u>A Color Atlas of Anaerobic Bacteria</u> , Tomotari Mitsuoka, 1980, published by Soubunsha, pp. 319 and 322
B.S	Ishibashi Norio, <u>The Chemical Society of Japan</u> , 2000, Vol. 48, No. 10, pp. 660-663 and 706 (No English Translation)
B.T	

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.